IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 147 of 2003

RAMESHWAR DAS
V/S
FIRM DHINGRA TENT HOUSE & ANR

Mr. KC SAMDARIYA, for the appellant / petitioner

Mr. RK SINGHAL, for the respondent

Date of Order : 9.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The suit was filed by the plaintiff Rameshwar Das for eviction on the ground of reasonable and bonafide necessity for himself for establishing office of legal profession and residence. The suit has been dismissed by the learned lower Appellate Court negativing the reasonable and bonafide necessity. However, during pendency of the appeal the plaintiff Rameshwar Das has expired, and out of his legal representatives, the wife and daughter and son are all living in Delhi.

In that view of the matter, the necessity for which the suit was filed has ceased to exist. Therefore, I do not find any sufficient ground to interfere in the impugned judgment. The appeal is, therefore, dismissed summarily.

(N P GUPTA),J.